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Total number of pages, including this cover sheet: 13 pages

TO:	PHONE #:	FAX #:
Examiner Sumesh Kaushal U.S. Patent and Trademark Office Art Unit 1633	(571) 272-0769	(571) 273-8300

From : Stacy L. Taylor
Email Address : staylor@foley.com
Sender's Direct Dial : 858.847.6720
Date : June 13, 2006
Client/Matter No : 041673-1001
User ID No : 9055

MESSAGE:

U.S. Patent Application No. 09/954,571

Following is:

- 1) Amendment Transmittal (3 pages);
- 2) Response to Final Office Action (8 pages); and
- 3) Credit Card Payment Form (1 page).

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Cover Page 1 of 1

DLMR_277508.1

PAGE 1/13 * RCVD AT 6/13/2006 9:10:10 PM [Eastern Daylight Time] * SVR:USPTO-EFAXF-6/28 * DNIS:2738300 * CSID: * DURATION (mm-ss):05-14

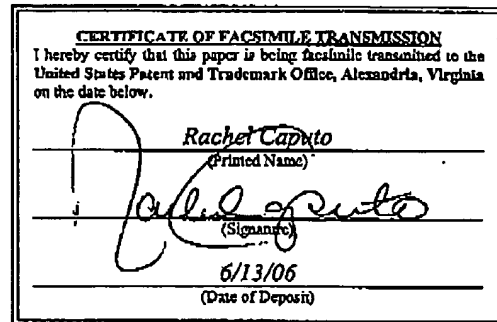
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Atty. Dkt. No. 041673-1001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chien
Title: HIGH EFFICIENCY CARDIAC
GENE TRANSFER
Appl. No.: 09/954,571
Filing Date: 9/11/2001
Examiner: Kaushal, Sumesh
Art Unit: 1633



AMENDMENT TRANSMITTAL

Mail Stop After Final
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[X] The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	24	-	86	=	0	x	\$50.00	= \$0.00
Independent Claims:	2	-	3	=	0	x	\$200.00	= \$0.00

JUN 13 2006

Atty. Dkt. No. 041673-1001

 First presentation of any Multiple Dependent Claims: + \$360.00 = \$0.00

 CLAIMS FEE TOTAL = \$0.00

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Extension for response filed within the first month:	\$120.00	\$120.00
[] Extension for response filed within the second month:	\$450.00	\$0.00
[] Extension for response filed within the third month:	\$1,020.00	\$0.00
[] Extension for response filed within the fourth month:	\$1,590.00	\$0.00
[] Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$120.00
[] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$120.00
[] Small Entity Fees Apply (subtract ½ of above):		\$60.00
Extension Fees Previously Paid:		\$0.00
TOTAL FEE:		\$60.00

A credit card payment form in the amount of \$60.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Atty. Dkt. No. 041673-1001

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

6-13-06

By

Stacy L. Taylor

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Stacy L. Taylor

Attorney for Applicant

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ATTY. DOCKET NO. 041673.1001

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CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. <u>Rachel Caputo</u> (Printed Name) <u>[Signature]</u> (Signature) <u>6/13/06</u> (Date of Deposit)

RESPONSE TO FINAL OFFICE ACTION

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the final Office Action dated February 15, 2006, concerning the above-referenced patent application. No claims are amended. The remarks below are submitted as placing the application in condition for allowance.

Amendments to the Claims begin on page 2 of this document.

Remarks/Arguments begin on page 5 of this document.

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